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* Application for Admission Pro Hac Vice pending

Attorneys for Proposed Intervenor

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION

**DEANNA L. GEIGER, JANINE M.
NELSON, ROBERT DUEHMIG and
WILLIAM GRIESAR,**
Plaintiffs,

v.

JOHN KITZHABER, in his official capacity
as Governor of Oregon; **ELLEN
ROSENBLUM**, in her official capacity as
Attorney General of Oregon; **JENNIFER
WOODWARD**, in her official capacity as
State Registrar, Center for Health Statistics,
Oregon Health Authority; and **RANDY
WALDRUFF**, in his official capacity as
Multnomah County Assessor,
Defendants,

Case No.: 6:13-cv-01834-MC (Lead Case)
and
Case No.: 6:13-cv-02256-MC (Trailing Case)

MOTION TO INTERVENE
PURSUANT TO FED. R. CIV. P. 24

EXPEDITED HEARING REQUESTED

and

NATIONAL ORGANIZATION FOR MARRIAGE, INC., on behalf of their Oregon members,

Proposed Intervenor.

PAUL RUMMELL and BENJAMIN WEST; LISA CHICKADONZ and CHRISTINE TANNER; BASIC RIGHTS EDUCATION FUND,

Plaintiffs,

v.

JOHN KITZHABER, in his official capacity as Governor of Oregon; **ELLEN ROSENBLUM**, in her official capacity as Attorney General of Oregon; **JENNIFER WOODWARD**, in her official capacity as State Registrar, Center for Health Statistics, Oregon Health Authority; and **RANDY WALDRUFF**, in his official capacity as Multnomah County Assessor,

Defendants,

and

NATIONAL ORGANIZATION FOR MARRIAGE, INC., on behalf of their Oregon members,

Proposed Intervenor.

RULE 7-1 CERTIFICATION

In compliance with LR 7-1, counsel for Proposed Intervenor conferred in good faith, via telephonic conferences and follow-up e-mails, on Monday, April 21, 2014, with Lea Ann Easton and Lake Perriguet, counsel for plaintiffs Deanna L. Geiger, Janine M. Nelson, Robert Duehmig, and William Griesar (Case No. 6:13-cv-01834-MC); Jennifer Middleton, counsel for plaintiffs Paul Rummell, Benjamin West, Lisa Chickadonz, Christine Tanner, and Basic Rights Education Fund (Case No. 6:13-cv-02256-MC); Sheila Potter, counsel for defendants John

Kitzhaber, Ellen Rosenblum, and Jennifer Woodward (both cases); and Kate von Ter Stegge, counsel for defendant Randy Wuldruff (both cases). All parties in the consolidated cases declined to consent to Proposed Intervenor's Motion to Intervene.

MOTION¹

Proposed Intervenor respectfully requests an order allowing it to intervene in these consolidated cases as a matter of right pursuant to Federal Rule 24(a), or alternatively permissively pursuant to Federal Rule 24(b), in order to safeguard significant protectable interests of its Oregon members in the subject matter of these lawsuits, to prevent a collusive suit on an immensely important public policy issue, and to ensure the possibility of appellate review of this Court's ultimate decision.

This motion is based upon the Memorandum of Points and Authorities in Support of Motion to Intervene and Declaration of Brian Brown filed contemporaneously herewith.

Pursuant to Federal Rule 24(c), proposed answers in intervention are filed concurrently with this motion.

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¹ After this motion was prepared and ready to file, counsel for Proposed Intervenor was made aware of information that may warrant a motion for recusal. Counsel will review that information and, if warranted, file a motion to recuse forthwith.

Dated this 21st of April, 2014.

/s/ Roger K. Harris

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National Organization for Marriage,
on behalf of its Oregon members

* Pro Hac Vice Application pending